

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN MICHAEL WARNOCK,

Defendant.

CASE NO. 2:22-cr-00150-LK

ORDER CONTINUING
SENTENCING

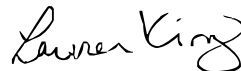
This matter comes before the Court on Defendant Brian Michael's Warnock's Amended Unopposed Motion to Continue Sentencing. Dkt. No. 79.

On May 9, 2024, Mr. Warnock pleaded guilty to one count of Possession of a Controlled Substance with Intent to Distribute and one count of Possession of a Firearm in Furtherance of a Drug Trafficking Crime. Dkt. No. 69 at 1–2; *see also* Dkt. Nos. 67–68, 70, 72. Sentencing is currently set for August 7, 2024, and Mr. Warnock seeks to continue it to August 13, 2024 because defense counsel is unavailable due to another trial set for August 5 through 12, 2024. Dkt. No. 79 at 1. Mr. Warnock represents in the caption that this motion is unopposed. *Id.*

1 Although the Court generally “must impose sentence without unnecessary delay,” it “may,
2 for good cause,” deviate from the time limits prescribed by the Federal Rules of Criminal
3 Procedure. *See* Fed. R. Crim. P. 32(b); *accord United States v. Firestack-Harvey*, No. 13-CR-
4 0024-TOR, 2015 WL 3533222, at *3 (E.D. Wash. June 4, 2015) (staying sentencing to allow
5 parties adequate time to prepare). And this District’s Local Criminal Rules expressly contemplate
6 a sentencing continuance “based on the need for more time.” LCrR 32(i)(1)(B). Here, Mr. Warnock
7 has demonstrated good cause for the continuance to allow his counsel to attend and represent him
8 at the sentencing. The Court finds that the interests of the public and Mr. Warnock in any speedier
9 sentencing in this case are outweighed by the ends of justice.

10 Finding good cause, the Court GRANTS the amended motion to continue, Dkt. No. 79,
11 and CONTINUES sentencing to August 13, 2024 at 1:00 p.m. Mr. Warnock’s initial motion, Dkt.
12 No. 78, is DENIED as moot.

13 Dated this 31st day of July, 2024.

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Lauren King
16 United States District Judge
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